

6P1652

ZEW

Practitioner's Docket No. NEB-166-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jack, William

Application No.: 10/089,027

Group No.: 1652

Filed: March 26, 2002

Examiner: Hutson

For: Incorporation of Modified Nucleotides by Archaeon DNA Polymerases and Related Methods

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING DATE OF EITHER A FINAL ACTION
OR NOTICE OF ALLOWANCE (37 C.F.R. § 1.97(c))**

**TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either
 - (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.10*

X with sufficient postage as first class mail.

G as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature

Leslie Goldberg _____
(type or print name of person certifying)

Date: December 8, 2004

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

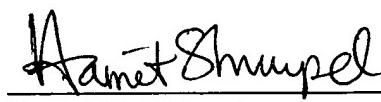
whichever occurs first.

STATEMENT

2. Accompanying this transmittal is a statement as specified in 37 C.F.R. section 1.97(e).

A duplicate of this paper is attached.

Date: December 8, 2004



Harriet M. Strimpel
Registration No. 37,008
New England Biolabs, Inc.
32 Tozer Road
Beverly, MA 01915
978-927-5054
Customer No. 28986

Practitioner's Docket No. NEB-166-PUS

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William Jack, et al.

Application No.: 10/089,027

Group No.: 1652

Filed: March 26, 2002

Examiner: Hutson

For: Incorporation of Modified Nucleotides by Archaeon DNA Polymerases and Related Methods

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
2. Copies of Listed Information Items Accompanying This Statement (with exception of US patent)
3. Identification of Person(s) Making This Information Disclosure Statement

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.10*

X with sufficient postage as first class mail.

G as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____


Signature
Leslie Goldberg
(type or print name of person certifying)

Date: December 8, 2004

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Section 1. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)

(Insert form(s) PTO/SB/08A [Form 6-2] and/or form(s) PTO/SB/08B [Form 6-2.1].)

Section 2. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement, except reference AV, which is a US patent.

DA, CG

Section 3. Identification of Person Making This Information Disclosure Statement

The person making this certification is:

- a. the practitioner who signs below on the basis of the information in the practitioner's file.

Date: December 8, 2004



Harriet M. Strimpel
Registration No. 37,008
New England Biolabs, Inc.
32 Tozer Road
Beverly, MA 01915
978-927-5054
Customer No. 28986

SECTION 2. FORMS PTO/SB/08A and 08B (formerly Form PTO-1449)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Jack et al.

Atty. Docket: NEB-166-PUS

Serial No: 10/089,027

Art Group Unit: Hutson

Date Filed: March 26, 2002

Examiner Name: 1652

Invention: Incorporation of Modified Nucleotides by Archaeon DNA Polymerases and Related Methods

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE STATEMENT****U.S. PATENT DOCUMENTS**

Examiner Initials	Reference Number	Document Number	Issue Date	Inventor	Class/Subclass
AV		5,728,529	3/17/98	Metzker et al.	C12Q 1/68

FOREIGN PATENT DOCUMENTS

Examiner Initials	Reference Number	Country Code	Document Number	Publication Date	Patentee or Applicant	Class/Subclass
DA		EPO	Search report	11/18/04	EPO	

OTHER DOCUMENTS

Examiner Initials	Reference Number	Author	Title of Article, Title of Journal, Volume Number, Page Numbers, Date
CG		Evans et al.	NAR 28(5):1059-1066 (2000)

Examiner Signature: _____

Date Considered: _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation *if not* in conformance and not considered. Include copy of this form with next communication to applicant.



Practitioner's Docket No. NEB-166-PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William Jack

Application No.: 10/089,027

Group No.: 1652

Filed: March 26, 2002

Examiner: Hutson

For: Incorporation of Modified Nucleotides by Archaeon DNA Polymerases and Related Methods

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT FOR INFORMATION DISCLOSURE
UNDER 37 C.F.R. § 1.97(e)

IDENTIFICATION OF INFORMATION DISCLOSURE STATEMENT
FOR WHICH THIS STATEMENT IS BEING MADE

1. This statement is being made for the Information Disclosure Statement accompanying this statement.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

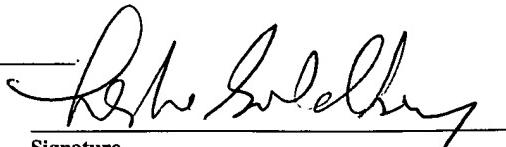
X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____



Signature

Date: December 8, 2004

Leslie Goldberg
(type or print name of person certifying)

* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATEMENT

2. I, the person signing below, state that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. § 1.97(e)(1).

IDENTIFICATION OF PERSON MAKING THIS STATEMENT

3. The person making this certification is:

(a) the practitioner who signs below on the basis of the information in the practitioner's file.

Date: December 8, 2004

Harriet Strimpel
Harriet M. Strimpel
Registration No. 37,008
New England Biolabs, Inc.
32 Tozer Road
Beverly, MA 01915
978-927-5054
Customer No. 28986